

REMARKS

The title has been amended, and the specification has been editorially revised. Claims 1-5 (all of the pending claims) have been amended. Applicant reserves the right to pursue the original claims and other claims in this application and in other applications.

The title is objected to as being not descriptive. Reconsideration is respectfully requested. The title has been amended to be more clearly indicative of the method aspects of claim 5.

Claims 1 and 4 are rejected under 35 U.S.C. § 102 as being anticipated by Mochizuki. Reconsideration is respectfully requested. Claim 1, as amended, recites an optical recording medium that has a program for causing updated software to be stored in both the memory device of a computer and in the medium itself. An example of this aspect of the invention can be found in the specification, page 17, lines 4-15 (although the claimed invention should not be limited by the specification). Mochizuki fails to disclose or suggest an optical recording medium that has a program for causing updated software to be stored both in the computer hard disk drive (or other memory device) and in the optical recording medium. Claim 4 depends from claim 1 and should be allowable along with claim 1 and for other reasons.

Claims 2, 3 and 5 are rejected under 35 U.S.C. § 103 as being unpatentable over Mochizuki in view of Shaw. Reconsideration is respectfully requested. Claim 2, as amended, recites an optical recording medium that has a program for causing updated software to be stored in a computer as well as in the medium. This is an important aspect of the claimed invention. Claims 3 and 5, as amended, recite similar (though not

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Docket No.: R2184.0095/P095

identical) limitations. Mochizuki and Shaw, even when considered in combination, fail to suggest the media and method of claims 2, 3 and 5, as amended. Therefore, the rejection should be withdrawn.

Allowance of the application with claims 1-5, as amended, is solicited.

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Respectfully submitted,

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